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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,498	09/28/2001	Shinji Kikuchi	Q66458	2543

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EXAMINER
BADII, BEHRANG

ART UNIT	PAPER NUMBER
3694	

MAIL DATE	DELIVERY MODE
07/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/964,498	SHINJI, KIKUCHI
	Examiner	Art Unit	
	Behrang Badii	3694	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>1</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 September 2001</u>.

2a)☐ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *1-32* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I.   Claim 23, drawn to an electronic commerce transaction auditing method wherein time that elapses before a response message is returned after receiving a request message is obtained in connection with an event occurred in the entire network area, whereby auditing a respond reaction ability of each electronic commerce transaction entity, classified in class 705, subclass 26.

II.   Claim 9, drawn to an electronic notarizing apparatus comprising: transaction log storage means for uniformly stamping time on all exchange messages between electronic commerce transaction entities to record and store said stamped time; notarize means for requesting other electronic notarizing apparatus to notarize all exchange messages recorded and stored by said transaction log storage means and for receiving a response to the corresponding request from said other electronic notarizing apparatus; and transaction certification storage means for storing the response received by said notarize means, classified in class 705, subclass 75.

III.   Claims 11, 27 and 31, drawn to an electronic commerce transaction audit apparatus comprising: log analyze means for obtaining time that elapses before a response message is returned after receiving a request message in connection with an event occurred in the entire network area, whereby auditing a respond reaction ability of each electronic commerce transaction entity, classified in class 705, subclass 24.

IV.   Claims 21, 25 and 29, drawn to an electronic notarizing method

comprising: the first step of uniformly stamping time on all exchange messages between

electronic commerce transaction entities to record and store said stamped time; the

second step of requesting other electronic notarizing apparatus to notarize all exchange

messages recorded and stored in said first step; the third step of receiving a response

to the corresponding request in said second step; and the fourth step of storing the

response received in said third step, classified in class 705, subclass 64.

V.   Claims 1-8, drawn to an electronic commerce transaction audit system

comprising: a plurality of electronic notarize means, connected to each other via a

network, for uniformly stamping time on all exchange messages between electronic

commerce transaction entities to record and store said stamped time, and said

electronic notarize means vie with each other to take a mutual notarization of said all

exchange messages recorded and stored, classified in class 705, subclass 36.

VI.   Claims 10, 22, 26 and 30, drawn to an electronic commerce transaction

audit apparatus comprising: log analyze means for comparing an event occurred in the

entire network area and with an event grasped in advance and to be generated in the

entire network area, whereby auditing conformity with specifications on the electronic

commerce transaction between the respective electronic commerce transaction entities,

classified in class 705, subclass 80.

VII.   Claims 12, 24, 28 and 32, drawn to an electronic commerce transaction

audit apparatus comprising: log analyze means for calculating a frequency of

occurrence of an abnormal response in connection with an event occurred in the entire

network area, whereby auditing an abnormal response processing ratio of each

electronic commerce transaction entity, classified in class 705, subclass 76.

VIII.   Claims 13-20, drawn to an electronic commerce transaction audit

apparatus comprising: log analyze means for calculating a frequency of occurrence of

an abnormal response in connection with an event occurred in the entire network area,

whereby auditing an abnormal response processing ratio of each electronic commerce

transaction entity, classified in class 705, subclass 51.

The inventions are distinct, each from the other because of the following reasons:

Inventions I, II, III, IV, V, VI, VII and VIII are related as subcombinations disclosed

as usable together in a single combination. The subcombinations are distinct from each

other if they are shown to be separately usable. In the instant case, invention I has

separate utility such as an electronic commerce transaction auditing method wherein

time that elapses before a response message is returned after receiving a request

message is obtained in connection with an event occurred in the entire network area,

whereby auditing a respond reaction ability of each electronic commerce transaction

entity. Invention II has separate utility such an electronic notarizing apparatus

comprising: transaction log storage means for uniformly stamping time on all exchange

messages between electronic commerce transaction entities to record and store said

stamped time; notarize means for requesting other electronic notarizing apparatus to

notarize all exchange messages recorded and stored by said transaction log storage

means and for receiving a response to the corresponding request from said other

electronic notarizing apparatus; and transaction certification storage means for storing

the response received by said notarize means.   Invention III has separate utility such

as an electronic commerce transaction audit apparatus comprising: log analyze means

for obtaining time that elapses before a response message is returned after receiving a

request message in connection with an event occurred in the entire network area,

whereby auditing a respond reaction ability of each electronic commerce transaction

entity.   Invention IV has separate utility such as an electronic notarizing method

comprising: the first step of uniformly stamping time on all exchange messages between

electronic commerce transaction entities to record and store said stamped time; the

second step of requesting other electronic notarizing apparatus to notarize all exchange

messages recorded and stored in said first step; the third step of receiving a response

to the corresponding request in said second step; and the fourth step of storing the

response received in said third step.   Invention V has separate utility such as an

electronic commerce transaction audit system comprising: a plurality of electronic

notarize means, connected to each other via a network, for uniformly stamping time on

all exchange messages between electronic commerce transaction entities to record and

store said stamped time, and said electronic notarize means vie with each other to take

a mutual notarization of said all exchange messages recorded and stored.   Invention VI

has separate utility such as an electronic commerce transaction audit apparatus

comprising: log analyze means for comparing an event occurred in the entire network

area and with an event grasped in advance and to be generated in the entire network

area, whereby auditing conformity with specifications on the electronic commerce

transaction between the respective electronic commerce transaction entities.   Invention

· VII has separate utility such as an electronic commerce transaction audit apparatus

comprising: log analyze means for calculating a frequency of occurrence of an abnormal

response in connection with an event occurred in the entire network area, whereby

auditing an abnormal response processing ratio of each electronic commerce

transaction entity. Invention VIII has separate utility such as an electronic commerce

transaction audit apparatus comprising: log analyze means for calculating a frequency

of occurrence of an abnormal response in connection with an event occurred in the

entire network area, whereby auditing an abnormal response processing ratio of each

electronic commerce transaction entity. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have

acquired a separate status in the art as shown by their different classification, restriction

for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must

include an election of the invention to be examined even though the requirement be.

traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Behrang Badii whose telephone number is 571-272-

6879. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Trammell can be reached on 571-272-6712. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

    Mail Stop Amendment
    Commissioner for Patents
    P.O. Box 1450
    Alexandria, VA 22313-1450

    or faxed to (571)273-8300

Hand delivered responses should be brought to

    United States Patent and Trademark Office
    Customer Service Window
    Randolph Building
    401 Dulany Street
    Alexandria, VA 22314

Any inquiry of a general nature or relating to the status of this application

or proceeding should be directed to the Technology Center 3600 Customer Service

Office whose telephone number is **(571) 272-3600**.

    Behrang Badii
    Patent Examiner
    Art Unit 3621

BB

    ELLA COLBERT
    PRIMARY EXAMINER